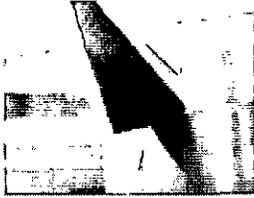


**AGENDA**



**Thursday, May 27, 2010**

The Austin City Council will convene at 10:00 AM on  
Thursday, May 27, 2010 at Austin City Hall  
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK  
POSTING: DATE/TIME  
2010 MAY 21 PM 4 27



**Mayor Lee Leffingwell**  
**Mayor Pro Tem Mike Martinez**  
**Council Member Chris Riley, Place 1**  
**Council Member Randi Shade, Place 3**  
**Council Member Laura Morrison, Place 4**  
**Council Member William Spelman, Place 5**  
**Council Member Sheryl Cole, Place 6**

For meeting information, contact the City Clerk, 974-2210

*The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.*

### **Reading and Action on Consent Agenda**

#### **Action on the Following:**

#### **Ordinances / Resolutions / Motions -**

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

#### **9:55 AM -- Invocation**

Pastor Rodney Hargrove, Church of the First Born

#### **10:00 AM -- City Council Convenes**

#### **Approval of Minutes**

1. Approve the minutes of the Austin City Council regular meeting of May 13, 2010.

#### **Austin Energy**

2. Approve an ordinance authorizing acceptance of \$10,000,000 in American Recovery and Reinvestment Act (ARRA) competitive grant funds from the U.S. Department of Energy and amending the Fiscal Year 2009-2010 Austin Energy Operating Budget Special Revenue Fund of Ordinance No. 20090914-002 to appropriate funds for a Retrofit Ramp-Up Program and for the addition of eight (8) full-time equivalent positions to implement the program. Funding is available from the U.S. Department of Energy for the grant period of June 1, 2010 to June 1, 2013. No match is required. Recommended by the Electric Utility Commission and the Resource Management Commission.
3. Authorize negotiation and execution of an Interlocal Agreement with the City of San Antonio to allow cooperation and joint purchasing efforts with respect to implementing the Retrofit Ramp-Up Program under the federal American Recovery and Reinvestment Act of 2009. Funding for is available from the U.S. Department of Energy pursuant to the American Recovery and Reinvestment Act of 2009, from June 1, 2010 to June 1, 2013. No match is required. Recommended by the Electric Utility Commission and the Resource Management Commission.
4. Approve an ordinance amending City Code Chapter 15-9 as it relates to utility customers with certain medical vulnerabilities, and utility disconnection moratoriums during summer extreme weather conditions. There is no unanticipated financial impact. Recommended by the Electric Utility Commission.

#### **Austin Water Utility**

5. Approve an ordinance amending the Fiscal Year 2009-2010 Austin Water Utility Capital Budget of Ordinance No. 20090914-003 to appropriate \$2,000,000 for Whisper Valley and Indian Hills water improvements. Funding in the amount of \$2,000,000 is available

from a Reimbursement Resolution. Recommended by the Water and Wastewater Commission. Related to Item #6.

6. Approve an ordinance authorizing the City Manager to negotiate and execute a cost reimbursement agreement with Club Deal 120 Whisper Valley, Limited Partnership and Club Deal 116 Indian Hills TX, Limited Partnership for design of 48 inch and 24 inch water mains, and for the payment of a Certificate of Convenience and Necessity release fee, for a total reimbursement cost not to exceed \$2,000,000; waiving the requirements of Sections 25-9-33, 25-9-63, and 25-9-64 of the City Code relating to cost participation and cost reimbursement; and waiving the Service Extension application fee in an amount not to exceed \$6,595 established in Ordinance 20090916-004. Funding is available in the amount of \$2,000,000 in the Fiscal Year 2009-2010 Capital Improvement Budget of the Austin Water Utility, pending action to amend the capital budget on May 27, 2010. Recommended by the Water and Wastewater Commission. Related to Item #5.
7. Approve the issuance of a Letter of Intent for a rebate to SPANSION INC. for the installation of treatment equipment and distribution piping, in an amount not to exceed \$100,000. Funding is available in the Fiscal Year 2009-2010 Conservation Rebate and Incentives Fund. Recommended by the Resource Management Commission and the Water and Wastewater Commission.
8. Approve Service Extension Request No. 2912 for wastewater service for MCMEANS, INC., the owner of McManus Store located within the Drinking Water Protection Zone in the City's extraterritorial jurisdiction at 11720 FM 1826 Road, proposing approximately 17,650 square feet of Retail/Shopping with an Estimated Peak Wet Weather Flow of 14 gallons per minute (gem). There is no unanticipated fiscal impact. Recommended by the Environmental Board and the Water and Wastewater Commission.

#### **Contract and Land Management**

9. Authorize negotiation and execution of amendments as required for construction phase services with DPR CONSTRUCTION, INC., Austin, TX (Construction Manager at Risk) for Austin Energy's System Control Center (SCC) for an estimated construction budget not to exceed \$67,000,000. Funding in the amount of \$3,500,000 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). Recommended by the Electric Utility Commission.
10. Authorize execution of Work Authorization Amendment No. 1 to the Construction Manager at Risk (CM@R) contract with MWH CONSTRUCTORS, INC., Broomfield, CO, for a Guaranteed Maximum Price (GMP) of \$7,503,114 for Work Package No. 3A - Early Out Equipment for Construction of Water Treatment Plant No. 4 (WTP 4). Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified for the equipment packages; therefore, no goals were established for this particular amendment only (project specific goals have been set for Preconstruction Phase Services and will be set for future construction packages released for this project). Reviewed by the Water and Wastewater Commission.
11. Authorize execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE with Facility Solutions Group, Austin, TX, for the installation of trail lighting in selected areas of the Lady Bird Lake Hike and Bike Trail in an amount of \$229,958. Funding is available in the Fiscal Year 2009 - 2010 Capital Budget of the Parks and Recreation Department. Cooperative Purchase through the LOCAL PURCHASING COOPERATIVE. Facility Solutions Group is an approved vendor/contractor through the competitive procurement process authorized by Texas Statute, Local Government Code, Chapter 271, Subchapter F. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women

Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.

12. Authorize negotiation and execution of a 21 month and 18 day lease for approximately 2,167.66 square feet of office space for the Health and Human Services Department, for use as the Tobacco Prevention and Control Program office, located at 1106 Clayton Lane, Suites 204E and 215E, from TWIN TOWERS LTD. PARTNERSHIP, Austin TX, in an amount not to exceed \$74,067.39, with two (2) twelve (12) month extension options, in an amount not to exceed \$41,185.54 for each extension term, for a total amount not to exceed \$156,439.47. Funding in the amount of \$74,067.39 is available in the Fiscal Year 2009-2010 Operating Budget of the Health and Human Services Department Special Revenue Fund. The grant period is March 19, 2010 through March 18, 2012. Funding for the extension options is contingent upon available funding in future budgets.
13. Authorize execution of a construction contract with MASTEC NORTH AMERICA INC., Austin, TX, for the Annual Traffic Signal Installation/Modification in an amount not to exceed \$1,478,719.65. Funding in the amount of \$1,000,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Transportation Department. Funding for the remainder is contingent upon approval of future capital budgets. Lowest bid of two (2) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Business Enterprise Procurement Program) by meeting the goals with 13.79% MBE and 5.02% WBE subcontractor participation.
14. Authorize negotiation and execution of a construction contract through the LOCAL PURCHASING COOPORATIVE with JOHNSON CONTROLS, INC., Austin, TX, for HVAC Services at the South Austin Regional Wastewater Treatment Plan in an amount of \$238,800 plus a contingency of \$23,880, for a total contract amount not to exceed \$262,680. Funding is available in the Fiscal Year 2009 - 2010 Capital Budget of the Austin Water Utility. Cooperative Purchase through the LOCAL PURCHASING COOPERATIVE. Johnson Controls, Inc. is an approved vendor/contractor through the competitive procurement process authorized by Texas Statute, Local Government Code, Chapter 271, Subchapter F. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
15. Authorize execution of a construction contract with TRCU, LTD., Houston, TX for the South IH-35 Water/Wastewater Infrastructure Improvements Program Segment 10 – Bradshaw Road south of Plantation Drive, 42-Inch Water Main project in the amount of \$1,478,629.95 plus \$73,931.50 contingency, for a total contract amount not to exceed \$1,552,561.45. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of eight (8) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 5.42% MBE and 2.41% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
16. Authorize execution of a construction contract with AUSTIN TRAFFIC SIGNAL CONSTRUCTION CO., LP, Pflugerville, TX, for the ABIA Overhead Signage Renovations project at the Austin Bergstrom International Airport in the amount of \$158,524. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Aviation Department. Lowest bid of four (4) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 5.41% MBE and 8.66% WBE subcontractor participation. Recommended by the Austin Airport Advisory Commission.

17. Authorize execution of a construction contract with CAPITAL EXCAVATION COMPANY, Austin, TX, for the North Shields Water Rehabilitation project in the amount of \$798,537.50 plus a \$39,927 contingency, for a total contract amount not to exceed \$838,464.50. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of eleven (11) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of good faith efforts with 14.33% MBE and 5.52% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
18. Authorize execution of a construction contract with S. J. LOUIS CONSTRUCTION OF TEXAS, LTD., San Antonio, TX, for the South IH-35 Onion Creek Golf Course Interceptor, South Tunnel in the amount of \$7,833,851 plus a \$783,385 contingency, for a total contract amount not to exceed \$8,617,236. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of eight (8) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 9.31% MBE and 2.82% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
19. Authorize execution of a construction contract with MCLEAN CONSTRUCTION, INC., Killeen, TX, for the South IH-35 Water/Wastewater Infrastructure Improvements Program Segment 13/14 – Pleasant Valley Extension, Reynard Creek to East Slaughter Lane, 42-Inch Water Main in the amount of \$1,273,934, plus a contingency of \$63,696.70, for a total contract amount not to exceed \$1,337,630.70. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of seven (7) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 9.87% MBE and 3.18% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
20. Authorize execution of a construction contract with AUSTIN ENGINEERING CO., INC., Austin, TX for the South IH-35 Water/Wastewater Infrastructure Improvements Program - Segment 7, From the Proposed South Zone Reservoir to FM 1327, 42-Inch Water Main in the amount of \$1,292,829 plus a \$129,282 contingency, for a total contract amount not to exceed \$1,422,111. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of nine (9) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 8.18% MBE and 3.95% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
21. Authorize execution of a construction contract with AUSTIN UNDERGROUND, INC. (MBE/MH - 84.17%), Austin, TX for the West Austin Sanitary Sewer Overflow Abatement project in the amount of \$1,039,555.50 plus a \$51,902.78 contingency, for a total contract amount not to exceed \$1,091,458.28. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Lowest bid of eight (8) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 84.17% MBE Prime and 2.03% MBE and 5.59% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
22. Authorize execution of change order #5 to the construction contract with RODRIGUEZ BARR, INC. dab THE BARR COMPANY, Austin, TX, for The Macbeth Recreation Center Renovations Project in the amount of \$52,000, for a total contract amount not to exceed \$632,940. Funding in the amount of \$52,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Parks and Recreation Department. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 3.65% MBE and 2.07% WBE subcontractor participation to date including this change order.

23. Authorize negotiation and execution of professional services agreements with BLACK AND VEATCH CORPORATION, Austin, TX and AECOM TECHNICAL SERVICES, INC., Austin, TX for engineering services for the Walnut Creek WWTP and South Austin Regional WWTP Filter Improvements respectfully, in an amount not to exceed \$1,500,000 for each agreement, with a total authorization amount not to exceed \$3,000,000. Improvements for each of the facilities will be implemented as two separate engineering contracts with Black and Veatch assigned to Walnut Creek WWTP and AECOM assigned to South Austin Regional WWTP. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Most qualified two (2) firms out of nine (9) firms evaluated through the City's qualification-based selection process. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE sub consultant participation. Recommended by the Water and Wastewater Commission.

### **Economic Growth & Redevelopment Services**

24. Approve an ordinance authorizing the City Manager to execute a Master Development Agreement with CONSTRUCTIVE VENTURES, INC. and TC AUSTIN DEVELOPMENT, INC. for redevelopment of the property currently occupied by the Austin Energy Control Center; adopting building access and area of refuge requirements; and approving a managed growth agreement. No unanticipated financial impact. Related to Item #25.
25. Approve an ordinance amending the Fiscal Year 2009-2010 Economic Growth and Redevelopment Services Office Capital Budget of Ordinance No. 20090914-003 to appropriate \$1,350,000 for improvements in conjunction with revenues received from the Energy Control Center Redevelopment Project. Funding in the amount of \$1,350,000 is available in developer contributions in conjunction with the Energy Control Center Master Agreement. Related to Item #24.
26. Approve a resolution nominating St. David's Healthcare Partnership, L.P., LLP for designation by the Governor's Office of Economic Development and Tourism as a single Texas Enterprise Project in accordance with Texas Government Code Chapter 2303 (Texas Enterprise Zone Act). The qualifying project consists of a renovation and expansion of facilities located at 901 W. Ben White Boulevard, Austin, Texas.
27. Approve a resolution nominating Bazaar voice, Inc. for designation by the Governor's Office of Economic Development and Tourism as a single Texas Enterprise Project in accordance with Texas Government Code Chapter 2303 (Texas Enterprise Zone Act). The qualifying project consists of a renovation and expansion of facilities located at 3900 North Capital of Texas Highway, Austin, Texas.

### **Health and Human Services**

28. Approve an ordinance authorizing acceptance of \$206,401 in additional grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, WIC PROGRAM, and amending the Fiscal Year 2009-2010 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20090914-002 to appropriate \$206,401 for staffing, infrastructure improvements, an increase to indirect cost support, and adding three full-time equivalent positions. Funding is available from the Texas Department of State Health Services, WIC Program. The grant period is October 1, 2009 through September 30, 2010. No City match is required.
29. Approve execution of an Interlocal Agreement with Austin Travis County Mental Health Mental Retardation Center and Austin Travis County Integral Care Center (ATCICC) for sharing limited suicide data, for a one-year term beginning on April 10, 2010, with three one-year renewal options.

### **Law**

30. Authorize execution of an amendment to the legal services contract with Smith,

Robertson, Elliot, Glen, Klein and Bell LLP to provide legal services related to Water Treatment Plant 4, in an amount not to exceed \$135,000 for a total contract amount not to exceed \$370,000. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility.

### **Neighborhood Housing and Community Development**

31. Authorize execution of Amendment No. 1 to the Service Agreement with the Austin Housing Finance Corporation to increase funding by up to \$1,519,000 for a total agreement amount not to exceed \$11,999,628 for the period of October 1, 2009 through September 30, 2010 and amend the Fiscal Year 2009-2010 Austin Housing Finance Corporation Operating Budget to appropriate \$1,519,000 for the Holly Good Neighbor Program. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Neighborhood Housing and Community Development Office through the Austin Energy Holly Good Neighbor Program. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Neighborhood Housing and Community Development Office through the Austin Energy Holly Good Neighbor Program. September 24, 2009 – Board authorized negotiation and execution of a one-year service agreement with the City of Austin to manage and operate various housing programs for the City during fiscal year 2009-2010 funded by the City's federal Housing and Urban Development funds and local housing funds in an amount not to exceed \$10,480,628.

### **Planning and Development Review**

32. Approve a resolution amending the City's Municipal Annexation Plan (MAP) to remove the North Austin MUD annexation area (approximately 977 acres located at the northwest corner of Parmer Lane and McNeil Drive) that was included effective December 31, 2009.

### **Police**

33. Authorize execution of an Interlocal Cooperation Agreement between the City of Austin, Austin Independent School District Police Department, Georgetown Police Department, Hays County Sheriff's Office, Pflugerville Police Department, Round Rock Police Department, San Marcos Police Department, Travis County Sheriff's Office, University of Texas Police Department, and Williamson County Sheriff's Office for the establishment and operation of the Austin Regional Intelligence Center (ARIC). Recommended by the Public Safety Commission.
34. Authorize negotiation and execution of Amendment No. 4 to the Interlocal Agreement for booking and related services between Travis County and the City of Austin to add contracted phlebotomist services to be performed within the Travis County Central Booking Facility in an amount not to exceed \$24,000. Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Police Department. Recommended by Public Safety Commission.

### **Purchasing Office**

35. Authorize award and execution of a contract with KBS ELECTRICAL DISTRIBUTORS INC., Austin, TX for the purchase of 20,000 feet each of four-sizes of wire for Austin Energy in an amount not to exceed \$136,200. Funding is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Lowest bid meeting specification of seven bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.
36. Authorize award, and execution of a 12-month requirements service contract, with ORACLE USA, Austin, TX, for the purchase of Oracle Customer Care & Billing (CC&B) software maintenance and support in an estimated amount not to exceed \$772,185 with six 12-month extension options in an estimated amount not to exceed \$772,185, for the

first extension option, \$772,185, for the second extension option, \$772,185 for the third extension option, \$810,795 for the fourth extension option, \$851,335 for the fifth extension option, and \$893,902 for the sixth and final extension option for a total estimated amount not to exceed \$5,644,772. Funding in the amount of \$772,185 is available in the 2009-2010 Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Critical Business Need. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.

37. Authorize award and execution of a 12-month requirements service contract with SAP CANADA, VANCOUVER, BC, for the purchase of SAP software maintenance and support services in an estimated amount not to exceed \$16,500, with six 12-month extension options in an estimated not to exceed \$16,500 per extension option, for a total estimated contract amount not to exceed \$115,500. Funding in the amount of \$16,500 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Critical Business Need. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.
38. Approve the ratification of a contract with SOLAR TURBINE INC., Houston, TX for inspection and repair services on a gas turbine at Austin Energy's Mueller Energy Center in an amount not to exceed \$278,993.51. Funding is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Critical Business Need. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This was an emergency service contract; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Electric Utility Commission.
39. Authorize award and execution of a 36-month requirements supply contract with HERSEY METERS COMPANY, LLC, d/b/a MUELLER SYSTEMS, LLC, Cleveland, NC for the purchase of cold water meters in an estimated amount not to exceed \$940,383, with three 12-month extension options in an estimated amount not to exceed \$313,461 per extension option, for a total estimated contract amount not to exceed \$1,880,766. Funding in the amount of \$104,487 is available in the Fiscal Year 2009-2010 Operating Budget of the Austin Water Utility. Funding for the remaining 32 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water & Wastewater Commission.
40. Authorize award and execution of a contract through the Texas Procurement and Support Services Cooperative Purchasing Program, Texas Multiple Award Schedule (TXMAS) with BRUNSWICK COMMERCIAL & GOVERNMENT PRODUCTS, INC., Edgewater, FL, for the purchase of two police boats in an amount not to exceed \$205,598. Funding is available in the Fiscal Year 2009-2010 Police Asset Forfeiture Fund for the Austin Police Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.
41. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with COOPER EQUIPMENT COMPANY, San Antonio, TX for the purchase of three street sweepers in an amount not to exceed \$698,394. Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Solid Waste

Services Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.

42. Authorize award and execution of a contract with LONE STAR BMW/TRIUMPH, Austin, TX for the purchase of six replacement police motorcycles in an amount not to exceed \$142,818.66. Funding is available in the Fiscal Year 2009–2010 Vehicle Acquisition Fund of the Financial and Administrative Services Department. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
43. Authorize award and execution of three contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with: PROFESSIONAL TURF PRODUCTS, San Antonio, TX for the purchase of three mowers and one debris vacuum in an amount not to exceed \$208,495.25; C&M GOLF AND GROUNDS EQUIPMENT, Waco, TX for the purchase of one aerator, twelve carts, fifteen mowers, and one top-dresser in an amount not to exceed \$617,157.14; JOHN DEERE, Cary, NC for the purchase of one turf collection system, two sprayers, two trap rakes, and four utility trucksters in an amount not to exceed \$200,704.06. Funding in the amount of \$1,026,356.45 is available in the Fiscal Year 2009-2010 Capital Budget of the Parks and Recreation Department. These contracts will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). These contracts are Cooperative Purchases; therefore, they are exempted under Chapter 791 of the Texas Local Government Code and no goals were established for these solicitations.
44. Authorize award and execution of four contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with: RDO EQUIPMENT CO., Pflugerville, TX for the purchase of three articulated wheel loaders, seven tractor/loader/backhoes, one crawler-dozer, and one mini excavator in an amount not to exceed \$1,442,644.50; HOLT CATERPILLAR, Austin, TX for the purchase of one integrated tool-carrier, two articulated wheel-loaders, one motor-grader, one excavator, and one crawler-dozer in an amount not to exceed \$909,873; VACTOR MANUFACTURING, INC., Streaton, IL for the purchase of two sewer cleaner bodies in an amount not to exceed \$300,500; and PROFESSIONAL TURF PRODUCTS, San Antonio, TX for the purchase of one tractor-mower in an amount not to exceed \$73,043.31. Funding in the amount of \$1,219,615.85 is available in the Fiscal Year 2009–2010 Capital Budget of the Austin Water Utility. Funding in the amount of \$113,538.11 is available in the Fiscal Year 2009–2010 Vehicle Acquisition Fund. Funding in the amount of \$1,062,423.35 is available in the Fiscal Year 2009-2010 Capital Budget of the Solid Waste Services Department. Funding in the amount of \$330,483.50 is available in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
45. Authorize award and execution of a contract through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC) with SANTEX TRUCK CENTER, San Antonio, TX, for the purchase of three dump trucks, three truck cab and chassis, two water service trucks, and one truck tractor in an amount not to exceed \$882,219.99. Funding in the amount of \$618,102.99 is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Funding in the amount of \$162,924 is available in the Fiscal Year 2009-2010 Capital Budget of the Solid Waste Services Department. Funding in the amount of \$101,193 is available in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a

Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

46. Authorize award and execution of five 12-month requirements service contracts with RED & WHITE GREENERY, INC., Georgetown, TX., PAMPERED LAWNS AUSTIN, INC., Austin, TX., MALDONADO NURSERY & LANDSCAPE, INC., San Antonio, TX., ECOSTAR LANDSCAPE MANAGEMENT, Del Valle, TX., and FRANK RINGER & ASSOCIATES, Austin, TX for grounds maintenance mowing services, in estimated amounts not exceed \$50,593, \$114,267, \$74,157, \$21,324, and \$14,349 respectively, with five 12-month extension options for each contract in estimated amounts not to exceed \$50,593, \$114,267, \$74,157, \$21,324, and \$14,349 respectively per extension option, for total estimated contract amounts not to exceed \$303,558, \$685,602, \$444,942, \$127,944, and \$86,094 respectively. Funding in the amount of \$109,875 is available in the Fiscal Year 2009-2010 Operating Budget of the Parks and Recreation Department. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bids of 18 bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

### **Transportation**

47. Approve an ordinance on third reading to renew the Austin Cab I, Incorporated d.b.a. Austin Cab taxicab franchise. Revenue source – taxicab permit fee of \$400 per year per permit. Expected annual revenue, \$63,600.
48. Approve an ordinance on third reading to renew the Greater Austin Transportation Company d.b.a. Yellow Cab Company taxicab franchise. Revenue source – taxicab permit fee of \$400 per year per permit. Expected annual revenue, \$182,000.
49. Authorize negotiation and execution of an Interlocal Agreement between the City of Austin and the Texas Department of Transportation (TXDOT) to develop engineering evaluation of short-term operational improvements that might be made to the US 290 at William Cannon Drive and the US 290 at US 71 intersections. The Interlocal Agreement would allow the City of Austin to partner with TXDOT to investigate opportunities to make interim, short-term congestion mitigating improvements to these intersections while more permanent solutions are contemplated through the environmental process. Funding in the amount of \$25,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Transportation Department.

### **Item(s) from Council**

50. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
51. Approve a resolution initiating a zoning case on property generally located at MoPac Expressway and Braker Lane, locally known as the Simon Tract, to amend the zoning from major industry – planned development area (MI-PDA) to MI-PDA to increase the impervious cover from 80 percent to 83 percent. (Mayor Lee Leffingwell, Council Member Randi Shade and Council Member William Spelman)
52. Approve a resolution giving Second Street between Trinity Street and San Antonio Street the honorary name of Willie Nelson Boulevard. (Mayor Lee Leffingwell, Mayor Pro Tem Mike Martinez and Council Member Laura Morrison)
53. Approve a resolution directing the City Manager to recommend options for achieving the City's regional multi-modal transportation goals being discussed as part of the City's on-going transportation planning while preserving debt capacity for a general obligation

bond election in 2013, adhering to all City financial polices, and maintaining a consistent tax rate. (Council Member Sheryl Cole, Council Member Laura Morrison and Council Member Chris Riley)

54. Approve a resolution directing the City Manager to provide free parking in city parks for volunteers working on city trails in observance of the annual National Trails Day event. (Mayor Pro Tem Mike Martinez, Council Member Chris Riley and Council Member Laura Morrison)
55. Approve a resolution directing the City Manager to work with the Urban Transportation Commission stakeholder group to develop recommendations on taxicab key performance indicators, fees charged to taxicab drivers by franchises, and a revised methodology for authorizing franchise agreements. (Council Member William Spelman, Council Member Laura Morrison and Council Member Chris Riley)
56. Approve a resolution relating to the compensation and benefits for the City Manager. Related to Item #68. (Council Member Randi Shade and Mayor Lee Leffingwell )
57. Approve the waiver of certain fees and requirements and authorize payment of certain costs for the City co-sponsored Greater East Austin Youth Association's 2010 Juneteenth Parade and Celebration which is to be held on June 19, 2010, at Rosewood Park. (Council Member Sheryl Cole, Mayor Lee Leffingwell and Mayor Pro Tem Mike Martinez)
58. Approve the waiver of the right to object to a street closure requirement under City Code Chapter 14-8 for the African American Cultural Heritage District Street Festival which is to be held on Friday, June 18th on Waller Street between Eleventh and Juniper Streets. (Council Member Sheryl Cole Mayor Pro Tem Mike Martinez Council Member Randi Shade)
59. Approve the waiver of certain pool entry fees for the 9th grade Transition Camp sponsored by Communities in Schools which is to be held Wednesday, June 16, 2010 at Barton Springs Pool. (Council Member Sheryl Cole Council Member Laura Morrison )

#### **Item(s) to Set Public Hearing(s)**

60. Set a public hearing to consider an ordinance regarding floodplain variances requested by the owner's engineer, Mr. Bradley Lingvai, on behalf of the owners to construct a new single-family house at 419 W. Johanna Street, which is in the 25-year and 100-year floodplains of East Bouldin Creek. (Suggested date and time: June 10, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX). October 12, 2009- Board of Adjustments approved a variance from LDC Section 25-2-774(C)(2) to construct a principal structure to the rear of the lot and to change the use of the existing lot to create a two-family residential use in a SF-3-NP, Family Residence-Neighborhood Plan Zoning District.
61. Set a public hearing to consider an ordinance amending Chapter 25-2, Subchapter F (Residential Design and Compatibility Standards) to include the area bounded by Ben White Blvd., on the north, IH-35 on the east, William Cannon on the south, and Manchaca on the west. (Suggested date and time: June 24, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).
62. Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code related to residential remodeling of non-complying structures and non-conforming uses. (Suggested date and time: June 24, 2010, 4:00 p.m., at Austin City Hall, 301 W. Second St., Austin, TX).
63. Set a public hearing to consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Waller Creek District Master Plan. The planning area includes properties bounded approximately by Interstate 35 to the east, Red River St. to the west, Lady Bird Lake to the south and 12th St. to the north. (Suggested date and time: June 24, 2010 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

64. Set public hearings for the limited purpose annexation of the following annexation areas: (1) Whisper Valley Area (approximately 2,066 acres in Travis County east of FM 973 and approximately 782 feet north of the intersection of FM 969 and Taylor Lane); and (2) Indian Hills Area (approximately 240 acres in Travis County west of SH 130 and east of FM 973 at the intersection of FM 973 and Decker Lake Road). (Suggested dates and times: July 29, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX; and August 5, 2010, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

**10:30 AM -- Morning Briefings**

65. Update by Comprehensive Planning Advisory Task Force and Wallace, Roberts & Todd, LLC and staff on "Imagine Austin" and the draft Vision Statement
66. Affordability in Transit-Oriented Developments: Potential Catalyst Projects on City-Owned Land

**12:00 PM -- Citizen Communications: General**

Ben Rogers – Brodie Wild- Building on sensitive watershed

Linda Yattes – Crime and APD staffing

Ruth Anderson – Schedule building projects on Barton Creek watershed

Christopher Ringstaff – City code compliance and review

Jim Harrington – Comments on the key point report about the Sanders killing by the police

Christina Alvarez – Non profit water company

Babs Warren – Fluoride and poisoning of our food

Anthony Walker – TBD

Debbie Russell – Accountability and transparency

Daniel Cloper – Fluoride

**Executive Session**

67. Discuss acquisition of real property to be included in the Water Quality Protection Land Program. (Real Property – Section 551.072)
68. Evaluate the performance of and consider compensation and benefits for the City Manager. (Personnel Matters-Section 551.074). Related to Item #56.

## **2:00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

69. C14-2009-0162 - AAA Limousine - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11902 North Interstate Highway-35 Service Road South Bound (Walnut Creek Watershed) from limited office (LO) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning with conditions. First Reading approved on April 8, 2010. Vote: 6-0; Cole off the dais. Applicant/Owner: Mohammad Boujabadi. Agent: A.E.C. Inc. (Phil Moncada). City Staff: Sherri Sirwaitis, 974-3057.
70. C814-2008-0136 – North Austin Medical Center Planned Unit Development – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12221 North Mo-Pac Expressway Northbound and 2311-2511 Park Bend Drive (Walnut Creek Watershed) from general office (GO) district zoning, community commercial (GR) district zoning, limited office (LO) district zoning, and community commercial-conditional overlay (GR-CO) combined district zoning to planned unit development (PUD) district zoning. First reading approved on April 22, 2010. Vote: 7-0. Applicant: St. David’s Healthcare Partnership, L.P. LLP (Malcolm Belisle). Agent: Clark, Thomas & Winters, PC (John M. Joseph). City Staff: Joi Harden, 974-2122.
71. C14-2009-0151 – East Block - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 835 West 6th Street (Town Lake Watershed) from downtown mixed use (DMU) district zoning to downtown mixed use - central urban redevelopment (DMU-CURE) district zoning. First reading approved on April 22, 2010. Vote: 6-1; Morrison voted Nay. Applicant: Schlosser Development Corp. (David Vitanza). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Stephen Rye 974-7604.
72. C14-2009-0102(PART) – Upper Boggy Creek Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process, Tract 3 – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to Tract 3, locally known as 4020 Airport Boulevard within the Upper Boggy Creek Neighborhood Planning Area, bounded by IH 35, 26th Street and Comal Street to the west, Airport Boulevard to the north and east, and Martin Luther King, Jr. Boulevard, Cedar Boulevard, Rogers Boulevard, Walnut Boulevard and Manor Road to the south (Boggy Creek, Waller Creek Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude Tract 3 from the overlay district. First reading approved on March 11, 2010. Vote: 5-1, Martinez-Nay, Shade-Abstained. Applicant and Agent: Planning and Development Review Department. City Staff: Jacob Browning, 974-7657. A valid petition has been filed in opposition to this rezoning request.

## **2:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

- 73 PH. NPA-2009-0012.03(PART) – Upper Boggy Creek Vertical Mixed Use Neighborhood Plan Amendment, Tract 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 020801-92, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the Future Land Use Map (FLUM) from office to mixed use/office on Tract 3, locally known as 4020 Airport Boulevard within the Upper Boggy Creek Neighborhood Planning Area, bounded by IH 35, 26th Street and Comal Street to the west, Airport Boulevard to the

north and east, and Martin Luther King, Jr. Boulevard, Cedar Boulevard, Rogers Boulevard, Walnut Boulevard and Manor Road to the south (Boggy Creek, Waller Creek Watersheds). Planning Commission Recommendation: To change the Future Land Use Map from office to mixed use/office on Tract 3. Applicant and Agent: Planning and Development Review Department. City Staff: Jacob Browning, 974-7657.

- 74 PH. C14-98-0150(RCT) - HW Tosca Restrictive Covenant Termination - Conduct a public hearing to delete a public restrictive covenant on property locally known as East Wells Branch Parkway (Harris Branch Watershed). Staff Recommendation: To approve the restrictive covenant termination. Zoning and Platting Commission Recommendation: To approve the restrictive covenant termination. Applicant: HW Tosca Investments LP (Shannon Martinez). Agent: Metcalfe Williams, LLP (Michele Rogerson). City Staff: Sherri Sirwaitis, 974-3057.
- 75 PH. C14-2009-0135 - HW Tosca - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as East Wells Branch Parkway (Harris Branch Watershed) from community commercial (GR) district zoning and multi-family residence-low density (MF-2) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant: HW Tosca Investments LP (Shannon Martinez). Agent: Metcalfe Williams, LLP (Michele Rogerson). City Staff: Sherri Sirwaitis, 974-3057.
- 76 PH. C14-2008-0224 - 13642 Research Boulevard - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13642 Research Boulevard (Lake Creek Watershed) from single family standard lot (SF-2) and Unzoned (UNZ) district zoning to general office-conditional overlay (GO-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning. Planning Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Cathyville, Ltd. (William Pohl). Agent: Thrower Design (Ron Thrower). City Staff: Stephen Rye 974-7604.
- 77 PH. C14-2010-0010 - Storage Depot - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5810 N. MoPac S. B. (Shoal Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning & Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Austin Storage, Inc. (James Lederer) Agent: Applicant: Austin Storage, Inc. (James Lederer) City Staff: Clark Patterson, 974-7691.
- 78 PH. C14-2009-0159 - 2807 Del Curto Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2807 Del Curto Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to townhouse and condominium (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on May 25, 2010. Applicant: Ace Bartlett and Polly Family Living Trust (Tim Bartlett). Agent: Thrower Design (Ron Thrower). City Staff: Stephen Rye 974-7604.
- 79 PH. C14-2010-0026 - Hoskins 10 Rezone - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 414 Thompson Lane (Carson Creek Watershed) from general commercial

services-conditional overlay (CS-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning to change a condition of zoning. Staff Recommendation: To deny general commercial services-conditional overlay (CS-CO) combining district zoning to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning to change a condition of zoning. Owner/Applicant: Fred W. Hoskins. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 974-7719.

- 80 PH. C14-2010-0027 – Colonial Grand at Cityway – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11001 South 1st Street (Onion Creek Watershed) from community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning to multi-family residence-medium density (MF-3) district zoning. Staff Recommendation: To grant multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning with conditions. Owner/Applicant: Colonial Properties Trust (Ed Wright). Agent: Kimley-Horn and Associates, Inc. (Joseph Willrich). City Staff: Wendy Rhoades, 974-7719.
- 81 PH. C14-2010-0017 – Great Hills Country Club – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 5914 Lost Horizon Drive (Bull Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community-commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Great Hills Golf Club of Austin, Inc. (Larry Harper). Agent: Randall Jones & Associates Engineering, Inc. (R. Brent Jones). City Staff: Sherri Sirwaitis, 974-3057. A valid petition has been filed in opposition to this rezoning request.
- 82 PH. C14-85-288.166(RCA) – Sunset Ridge – Conduct a public hearing and approve a restrictive covenant amendment for property locally known as 8401 Southwest Parkway (Williamson Creek Watershed; Barton Creek Watershed-Barton Springs Zone) to amend a portion of the Restrictive Covenant as it relates to certain uses and development standards. Staff Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Planning Commission Recommendation: To grant an amendment to a portion of the Restrictive Covenant as it relates to certain uses and development standards. Owner/Applicant: Los Indios Ventures, Inc. (Tim Jamail). City Staff: Wendy Rhoades, 974-7719.
- 83 PH. C14-2010-0042 – Sunset Ridge – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8401 Southwest Parkway (Williamson Creek Watershed; Barton Creek Watershed-Barton Springs Zone) from industrial park-neighborhood plan (IP-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Owner/Applicant: Los Indios Ventures, Inc. (Tim Jamail). City Staff: Wendy Rhoades, 974-7719.
- 84 PH. C14-2010-0044 – Western Trails Boulevard Zoning Change – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2301, 2303 and 2305 Western Trails Boulevard (Williamson Creek Watershed) from single family residence standard lot (SF-2) district zoning to neighborhood office-mixed use (NO-MU) combining district zoning. Staff Recommendation: To grant neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 1, 2010. Owner/Applicant: Kristine Alpert, Wilfred W. Kellas, Jr.; Joe

M. and Janet D. Sullivan. Agent: (Karl A. Burkett). City Staff: Wendy Rhoades, 974-7719.

- 85 PH. C14-2009-0093 – 2203 and 2205 Western Trails – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2203 and 2205 Western Trails Boulevard (Williamson Creek Watershed) from single family residence standard lot (SF-2) district zoning to neighborhood office-mixed use (NO-MU) combining district zoning. Staff Recommendation: To grant neighborhood office-mixed use (NO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 1, 2010. Owner/Applicant: Karl A. Burkett; Richard H. Einck, Jr. City Staff: Wendy Rhoades, 974-7719.
- 86 PH. NP-2010-0026 - North Lamar Combined Neighborhood Plan - Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the North Lamar Combined Neighborhood Plan, generally bounded by Braker Lane to the north, IH-35 to the east, US Highway 183 to the south and North Lamar Boulevard to the west (Walnut Creek, Little Walnut Creek and Buttermilk Branch Watersheds). Planning Commission Recommendation: Recommend approval of land use recommendations. Applicant and Agent: City of Austin, Planning and Development Review Department. City Staff: Mark Walters, 974-7695, Jacob Browning, 974-7657, Greg Dutton, 974-3509.
- 87 PH. C20-2010-003 - Conduct a public hearing and consider an ordinance amending Chapter 25-2 (Subchapter E) of the City of Austin Land Development Code to reclassify North Lamar Boulevard, from West Anderson Lane/US Highway 183 to West Braker Lane, from a Future Core Transit Corridor to a Core Transit Corridor. Recommended by Planning Commission.
- 88 PH. C14-2010-0048 – North Lamar Neighborhood Planning Area Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the North Lamar Neighborhood Planning Area, generally bounded by Braker Lane to the north, IH-35 to the east, Rundberg to the south and North Lamar Boulevard to the west (Walnut Creek, Little Walnut Creek and Buttermilk Branch). The proposed zoning change will create a Neighborhood Plan Combining District (NPCD) covering the entire area. Under the proposed North Lamar NPCD, the following design tools will be applied area-wide: "Parking Placement and Impervious Cover Restrictions," "Garage Placement" and "Front Porch Setback". The following infill options will be applied to Tracts 27, 28 and 32 only: "Residential Infill" and "Urban Home". The proposed zoning change also implements the land use recommendations of the North Lamar Combined Neighborhood Plan, NP-2010-0026, on 46 tracts of land (189.1 acres). The Planning Commission may recommend and the City Council may approve a zoning change to any of the following: Single-Family Residence – Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence – Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Industrial Park (IP); Limited Industrial Services (LI); and Public (P). A Conditional Overlay (CO), Vertical Mixed Use Building (V), Mixed Use Combining District Overlay (MU), or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. Staff Recommendation: To approve zonings and re-zonings that implement the land use recommendations of the North Lamar Neighborhood Plan. Planning Commission Recommendation: To approve zonings and rezonings that implement the land use recommendations of the North Lamar Neighborhood Plan with conditions. Applicant and Agent: City of Austin, Planning and Development Review Department. City Staff: Mark Walters, 974-7695; Jacob Browning, 974-7657; Greg Dutton, 974-3509 and Sherri Sirwaitis, 974-3057.

- 89 PH. C14-2010-0049 – Georgian Acres Neighborhood Planning Area Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the Georgian Acres Neighborhood Planning Area, generally bounded by Rundberg Lane to the north, IH-35 to the east, US Highway 183 to the south and North Lamar Boulevard to the west (Walnut Creek, Little Walnut Creek and Buttermilk Branch). The proposed zoning change will create a Neighborhood Plan Combining District (NPCD) covering the entire area. Under the proposed Georgian Acres NPCD, the following design tools will be applied area-wide: "Parking Placement and Impervious Cover Restrictions," "Garage Placement" and "Front Porch Setback". The proposed zoning change also implements the land use recommendations of the North Lamar Combined Neighborhood Plan, NP-2010-0026, on 40 tracts of land (211.5 acres). The Planning Commission may recommend and the City Council may approve a zoning change to any of the following: Single-Family Residence – Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence – Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Industrial Park (IP); Limited Industrial Services (LI); and Public (P). A Conditional Overlay (CO), Vertical Mixed Use Building (V), Mixed Use Combining District Overlay (MU), or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. Staff Recommendation: To approve zonings and rezonings that implement the land use recommendations of the Georgian Acres Neighborhood Plan. Planning Commission Recommendation: To approve zonings and rezonings that implement the land use recommendations of the Georgian Acres Neighborhood Plan with conditions. Applicant and Agent: City of Austin, Planning and Development Review Department. City Staff: Mark Walters, 974-7695; Jacob Browning, 974-7657; Greg Dutton ,974-3509 and Sherri Sirwaitis, 974-3057.

### **3:00 PM -- Austin Housing Finance Corporation Board of Directors Meeting**

The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will re-convene. (The AHFC agenda is temporarily located at <http://www.ci.austin.tx.us/edims/document.cfm?id=130485>)

### **4:00 PM -- Public Hearings and Possible Actions**

- 90 PH. Conduct a public hearing and consider an ordinance authorizing additional distance requirements for mobile food establishments in certain areas in accordance with Section 25-2-812 of the City Code.
- 91 PH. Conduct a public hearing and consider an ordinance authorizing the addition of a new neighborhood to the Restricted Parking Area Map in accordance with Section 12-5-29 of the City Code.
- 92 PH. Conduct a public hearing and consider an appeal of the Planning Commission's decision to approve a four-year site plan extension for Western Oaks Retail Center, located at 4625 W. William Cannon Drive (SPC-2007-0439C(XT2)).
- 93 PH. Conduct a public hearing and consider second/third readings of an ordinance amending City Code Sections 25-12-111 and 25-12-113 relating to permitting requirements of the

2008 National Electrical Code. Recommended by Electrical Board.

- 94 PH. Conduct a public hearing and consider second/third readings of an ordinance repealing and replacing Article 7 of City Code Chapter 25-12 to adopt the 2009 International Fire Code and local amendments. Recommended by the Building and Fire Code Board of Appeals and Environmental Board.
- 95 PH. Conduct a public hearing and consider second/third readings of an ordinance repealing and replacing Article 5 of City Code Chapter 25-12 to adopt the 2009 Uniform Mechanical Code and local amendments. Recommended by the Mechanical, Plumbing and Solar Board.
- 96 PH. Conduct a public hearing and consider second/third readings of an ordinance repealing and replacing Article 1 of City Code Chapter 25-12 to adopt the 2009 International Building Code and local amendments; and amending Article 13 of City Code Chapter 25-12 related to permit application and expiration requirements. Recommended by the Building and Fire Code Board of Appeals.
- 97 PH. Conduct a public hearing and consider second/third readings of an ordinance amending City Code Sections 25-12-241 and 25-12-243 relating to permitting and energy efficiency requirements of the 2006 International Residential Code. Recommended by the Building and Fire Code Board of Appeals.
- 98 PH. Conduct a public hearing and consider second/third readings of an ordinance repealing and replacing Article 6 of City Code Chapter 25-12 to adopt the 2009 Uniform Plumbing Code and local amendments. Recommended by the Mechanical, Plumbing and Solar Board.

**5:30 PM -- Live Music**

La Guerrilla

**5:30 PM -- Proclamations**

Proclamation -- COA's Day of Remembrance (Memorial Day) -- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Certificates of Congratulations -- High School Clean Air Force PSA Contest Winners -- to be presented by Mayor Lee Leffingwell and to be accepted by the honorees

Presentation to the City -- Gold Award Status Award -- to be presented by the Council for the Stroke and Cardiovascular Disease Healthy Cities Initiative and to be accepted by Mayor Lee Leffingwell, David Lurie and Dr. Phil Huang

ABS Award of Merit Presentation to the City by the National Society of Professional Engineers and the American Council of Engineering Companies to be accepted by Mayor Lee Leffingwell and Rosie Truelove, Contract & Land Management

Proclamation -- COA Employee Safety Month -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by Shelley Buchman

Certificates of Congratulations -- Teachers of the Year -- to be presented by Council Member Sheryl Cole and to be accepted by the honorees

**Adjourn**

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call 974-2210 OR 974-2445 TDD.*

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.

**2010 Austin City Council Meeting Dates**

<b>Meetings</b>	<b>Cancelled Dates</b>
	January 7, 2010
January 14, 2010	
	January 21, 2010
January 28, 2010	
February 4, 2010	
February 11, 2010	
	February 18, 2010
February 25, 2010	
	March 4, 2010
March 11, 2010	
	March 18, 2010
March 25, 2010	
	April 1, 2010
April 8, 2010	
	April 15, 2010
April 22, 2010	
April 29, 2010	
	May 6, 2010
May 13, 2010	
	May 20, 2010
May 27, 2010	
	June 3, 2010
June 10, 2010	
	June 17, 2010
June 24, 2010	
	July 1, 2010
	July 8, 2010
	July 15, 2010
	July 22, 2010
July 28, 2010 (Budget Work Session)	
July 29, 2010	
August 4, 2010 (Budget Work Session)	
August 5, 2010	
	August 12, 2010
August 18, 2010 (Budget Work Session)	
August 19, 2010	
August 25, 2010 (Budget Work Session)	
August 26, 2010	
	September 2, 2010
	September 9, 2010
September 13,14,15, 2010 (Budget Readings)	
	September 16, 2010
September 23, 2010	
September 30, 2010	
	October 7, 2010
October 14, 2010	
	October 21, 2010
October 28, 2010	
November 4, 2010	
	November 11, 2010
November 18, 2010	
	November 25, 2010
	December 2, 2010
December 9, 2010	
December 16, 2010	
	December 23, 2010
	December 30, 2010